

**FARMINGTON CITY  
PLANNING COMMISSION MEETING  
June 21, 2018**

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**STUDY SESSION**

***Present:** Chair Alex Leeman, Commissioners Kent Hinckley, Roger Child, Rulon Homer, Connie Deianni, and Russ Workman, Community Development Director Dave Petersen, Associate City Planner Eric Anderson, and Brittney Whitecar filling in for Recording Secretary Lara Johnson.*

**Item #3. Jared Schmidt / Symphony Homes – Requesting final plat approval of the Eastridge Estates Phase II Conservation Subdivision**

**Eric Anderson** said the issues regarding this phase have been resolved. He said the topography is steep, so there will be a shared driveway. He said the lot sizes conform to the zoning ordinance, and that the next step is platting the subdivision.

**Item #4. Jerry Preston / Elite Craft Homes – Requesting a recommendation for schematic plan approval of the proposed Makin Subdivision consisting of 4 lots**

**Eric Anderson** said this item is a holdover item from the May 17<sup>th</sup> Planning Commission meeting. He said this subdivision is dependent on the finding of blight. Since the last meeting, the staff report now includes the State Code's criteria to determine blight. He said this property has met 4 of the 7 criteria from the State Code. He said Eric Miller, the City Certified Building Official, found structural issues, junk, and additional health concerns on the inside of the home. He said code enforcement has been alerted about the weeds and the junk located on the property.

**Eric Anderson** said the benefit of finding blight is that this would allow for the home to be torn down and 4 replacement homes to be built on the property. If blight would not have been found, the existing home would have had to of been renovated, and no additional lots could be created on the property. **Eric Anderson** said the property owner is seeking 4 lots for the subdivision in order for it to be worth his time.

**Eric Anderson** said the lot is currently zoned AE, so it would be difficult to meet the minimum lot size to achieve 4 lots; however, blighted property does not necessarily have to follow the standard lot size. He said the finding of blight is a matter of fact since 4 out of the 7 criteria have been found, but the applicant would still have to request a TDR, which is a discretionary decision where opinions can play a factor.

**Alex Leeman** said that he feels the Planning Commission needs to think objectively regarding this decision. He does not feel it is the Planning Commission's problem if the developer can make money by adding additional houses on this property. He said he feels this decision is about the finding of blight in accordance to the State Code. **Eric Anderson** said he feels the goal for this item is to determine if the Planning Commission is comfortable with this property, which is located across from the high school and storage units, being split into 4 lots that will be used for single-family residential.

**Item #5. Jared Schmidt / Symphony Homes – Requesting a recommendation for rezone, schematic plan, and preliminary PUD master plan approval for the Chestnut Farms Phase V Subdivision. The rezone application is requesting an amendment of the zoning map from an A (Agriculture) to an AE (Agriculture Estates) zone**

Eric Anderson said this rezone request is for a 7 acre island section in Phase V. The property is surrounded by AE, so the applicant wants to change the island to match the surrounding AE zones. David Petersen said there needs to also be a road that goes through to the west at 475 South. He said the density of the subdivision is growing, so there is a need for additional entrances and exits. He said the neighbors are protesting, as they do not want heavier traffic on their streets.

Eric Anderson said the consideration for this item is the rezone, the schematic plan, and the preliminary PUD master plan, which includes the proposed thru street, but that everything depends on the rezone. He said without the rezone, the applicant could not be granted a recommendation for approval on the schematic plan.

**Item #6. Scott Adamson – Requesting a recommendation for rezone from an AA (Agricultural Very Low Density) to an A (Agriculture) zone**

Eric Anderson said this item is a continuation from the last Planning Commission meeting. He said the applicant has re-applied for a rezone to an A zone from AA, as was suggested by the Commission at the last meeting. He said he would still have to apply for a TDR, which is a discretionary decision so additional steps in the process have to take place. He said there are many restraints on the property, including the potential of wetlands.

**Item #8. Farmington City – Requesting approval to amend the General Plan by adding the recently completed Farmington Linkage Study regarding future I-15/US 89 pedestrian crossing options in the vicinity of the Park Lane Interchange as an appendix to the Farmington City Master Transportation Plan, an element of the City's General Plan. (MP-3-18)**

Eric Anderson said the purpose of this study is to determine how people could safely get from east Farmington to the west side over Park Lane. He provided the cost estimates and the engineered plans. He said UDOT provided half of the money for an I-15 pedestrian bridge, but nothing for the Highway-89 bridge.

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**REGULAR SESSION**

***Present:*** Chair Alex Leeman, Commissioners Kent Hinckley, Roger Child, Rulon Homer, Connie Deanni, and Russ Workman, Community Development Director Dave Petersen, Associate City Planner Eric Anderson, and Brittney Whitecar filling in for Recording Secretary Lara Johnson.

**Item #1. Minutes**

Kent Hinckley made a motion to approve the Minutes from the May 17, 2018 Planning Commission meeting. Russ Workman seconded the motion, which was unanimously approved.

**Item #2. City Council Report**

**David Petersen** gave a report from the last two City Council meetings. He said during the June 5<sup>th</sup> meeting, Ken Stuart had his boundary adjustment approved, and the City Council also approved a few plat amendments of residents consolidating lots. He said the City Council also liked the recommendation on the Rock Mills Estates street light proposal. He said there is also a property owner that has converted his home into a 5-plex. He said during the June 19<sup>th</sup> meeting, the City budget was approved, as well as a few more plat amendments.

## **SUBDIVISION**

**Item #3. Jared Schmidt / Symphony Homes (Public Hearing) – Applicant is requesting final plat approval of the Eastridge Estates Phase II Conservation Subdivision consisting of 2 lots on 3.87 acres of property located at approximately 1500 South and 200 East in an LR-F (Large Residential – Foothill) zone. (S-4-17)**

**Eric Anderson** said Phase I has been completed, and Phase III final plat was approved a few meetings ago. He said Phase II has entailed more due to some topography and sewer issues. He said there were some concerns at preliminary plat that took some time, but all issues have now been resolved.

**Jared Schmidt**, 526 N. 400 W., North Salt Lake, said Symphony Homes has resolved the sewer issues and dealt with all the topography restrictions.

**Alex Leeman** reminded everyone that this is the last time the Planning Commission would see these lots, as final plat is the last step in the approval process. He said if there are any outstanding matters or concerns, they need to be addressed prior to approval. He said there are three conditions currently listed on the proposed motion, which include the development agreement, easements, and 15% open space, which all seem to be addressed.

### **Motion:**

**Kent Hinckley** made a motion that the Planning Commission that the Planning Commission approve the final plat for Eastridge Estates Conservation Subdivision Phase II subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant shall enter into a development agreement memorializing the approved master plan prior to recordation of final plat;
2. All off-site easements will need recorded easements prior to construction;
3. The applicant shall provide 15% open space in the regional detention basin.

**Rulon Homer** seconded the motion, which was unanimously approved.

### **Findings for Approval:**

1. The proposed final plat meets the requirements of the subdivision and zoning ordinances.
2. The open space being traded to the City for a regional detention basin is desirable because it provides a regional facility for the southeastern portion of Farmington, and the open space would not be desirable within the subdivision boundaries of Phase II.
3. The area where the regional detention basin is to go is development restricted and leaving it as open space that also benefits the City is preferable to including it as part of the subdivision design.

**Item #4. Jerry Preston / Elite Craft Homes (Public Hearing) – Applicant is requesting a recommendation for schematic plan approval of the proposed Makin Subdivision consisting of 4 lots on .86 acres of property located on the southeast corner of 650 West and Glover Lane in an AE (Agriculture Estates) zone. (S-9-18)**

**Eric Anderson** said that this is a carryover item from the May 17<sup>th</sup> meeting where it was tabled because the Planning Commission wanted to see more regarding the finding of blight. He said the applicant is proposing 4 lots of about 9,300 sq. ft. each. He said the schematic plan is being considered tonight.

**Eric Anderson** said since the last meeting, the City's Building Official, Eric Miller, went to the property and provided a report which lists the findings that qualify the property as blight, based on the blight criteria found in the State Code.

**Alex Leeman** said that right now the Planning Commission is considering the schematic plan, which is the overall concept of the subdivision. He said one of the conditions attached to schematic plans is that before a developer can move forward to preliminary plat, they have to obtain the necessary special exceptions, which is where blight originated from with regards to this project. **Alex Leeman** said some members of the Planning Commission felt that they needed to know for certain if blight was a factor before moving forward on to preliminary plat. He said the City's Building Official gathered evidence of the exact state of the existing home.

**Jerry Preston**, 177 N. Main St., stated that the staff has done a great job with the report. He said the property owner sees the need for 4 lots in order to make this project financially worth doing. He said the home is not livable, but in order to make this project economical, they need to be able to replace the existing home with 4 new 9,300 sq. ft. lots. He said the home just south of the proposed subdivision is comparable in lot size at 9,700 sq. ft.

**Alex Leeman** said in order for a subdivision to receive schematic plan approval, the Planning Commission assures the plan conforms to the requirements found in the Ordinance. It is the Planning Commission's responsibility to make sure the proposed project is possible in the zone, providing the applicant meets any requirements the Commission may feel necessary to attach to the project. **Alex Leeman** said the exception to this specific project is that the Planning Commission has requested a blight study be completed. Based on that finding, if an additional lot is granted, the applicant will still have to obtain TDR approval by the City Council.

**Connie Deianni** said the concern discussed at the last meeting was whether 4 single-family homes in an appropriate use for an intersection adjacent to the new high school. She asked for clarification on why people did not find it to be an appropriate use. **Eric Anderson** said that bringing in the high school will change the dynamic of the area. He said vehicle and pedestrian traffic will increase, and that businesses often surround the high schools, so those factors need to be considered. **Russ Workman** pointed out that the traffic light will also be going in at that intersection, and that the West Davis Corridor is going to be a block away from this parcel, so there are some factors that may be perceived as negative. **Alex Leeman** said he feels putting in 4 single-family homes may actually help mold the area by anchoring it with single-family residential. He said there is no West Davis Corridor access, so the area won't attract any industrial uses.

**Kent Hinckley** said that **Eric Anderson** made denying the application as an alternative motion. He said there were two residents that spoke at the previous meetings public hearing that expressed

concern with the density of the proposed project. He said in the denial motion, the first Finding for Denial states that the proposed density exceeds any found in adjacent neighborhoods. He said he believes that is a concern. He said the third Finding for Denial states that the proposal is not consistent with the underlying AE zone, which has a minimum lot size of ½ acre lots. He said the General Plan calls for rural low density housing, so what is being proposed would be an exception to the General Plan. **Alex Leeman** said that he does not feel that statement may be accurate because the AE zone does allow for a minimum lot size of 9,000 sq. ft. if certain conditions are met.

**Roger Child** said that he feels the purpose of a TDR is to increase density, so if the applicant goes through the TDR process, there is residual benefit to the City elsewhere.

**Russ Workman** said that he also feels that whatever density and traffic increase this project may bring, it will not compare to what will be brought in by the high school, so he does not feel density should be a concern. He feels future markets of this property might suggest that this corner could be considered something transitional or even commercial in nature. He feels grounding the area with what is being proposed may discourage that. He feels what is being proposed may be a better option than low density because low density housing doesn't work on a lighted intersection with high traffic volume. He said that he feels the responsibility of the Planning Commission is to protect foreseeable future uses of the City.

**Alex Leeman** said what is being presented is four 9,300 sq. ft. lots in a row. He said it's important to remember that the Planning Commission recommends approval or denial to the City Council. He also reminded the Commission that it is not within their purview to recommend other things not found in the application. He said an example would be recommending 3 lots in lieu of the 4 requested on the application. He said it is up to the Commission to determine if they are comfortable with 4 lots.

**Motion:**

**Roger Child** made a motion that the Planning Commission recommend that the City Council approve the schematic plan for the Makin Minor Subdivision subject to all applicable Farmington City development standards and ordinances and the following conditions:

1. The applicant must obtain special exception approval for the additional TDR lot;
2. The applicant must perform a blight study, as defined and consistent with the state code, and the City must establish a finding of blight prior to final minor subdivision consideration;
3. The applicant shall obtain approval of the 3-lot TDR by vote of not less than four (4) City Councilors at final minor subdivision on or after a finding of blight has been approved, whichever comes first;
4. The applicant shall amend the schematic plan to show the corrected 650 West right-of-way;
5. The applicant shall provide the sizes for sewer, storm drain, and water lines on final plat.

**Russ Workman** seconded the motion, which was unanimously approved.

**Findings for Approval:**

1. Lot dimensions comply with the standards set forth in the Zoning and Subdivision ordinances, and provided that the City make a finding of blight.
2. All lots front an existing fully improved public r.o.w. (650 West and Glover Lane).

3. The City will receive comparable compensation for lost open space in the form of a TDR transaction through cash payment, which enables the creation of the smaller lot size, and allows the City to use that open space in a better location elsewhere.

## **SUBDIVISION – REZONE – PRELIMINARY PUD MASTER PLAN**

**Item #5. Jared Schmidt / Symphony Homes (Public Hearing) – Applicant is requesting a recommendation for rezone, schematic plan, and preliminary PUD master plan approval for the Chestnut Farms Phase V Subdivision consisting of 26 lots on 10.27 acres of property located at approximately 1400 West and 475 South. The rezone application is requesting an amendment of the zoning map from an A (Agriculture) to an AE (Agriculture Estates) zone for the subject property (S-18-17 & Z-4-17).**

**Eric Anderson** said there are three applications before the Commission tonight. He said the first, and most important, item is the rezone, then there is the schematic plan application and the related preliminary PUD master plan for the subdivision. He said the preliminary PUD master plan was already approved for Chestnut Farms Phases III through V several years ago, but the applicant is having to amend the PUD overlay. The reason for the amendment is the applicant has added two parcels that used to be owned by the Swain family to the existing Phase V. He said the change will require re-doing some of the approval process. **Eric Anderson** said there is also a discrepancy between the total amount of acreage for Phase V and the acreage on the rezone request. He said when Symphony did Phase V of the subdivision, they rezoned the entire property to AE, but the two new parcels have not yet been rezoned. He said the project is contingent on the rezone of those two parcels.

**Eric Anderson** said in reviewing the yield plan for the entire property, it showed 475 S. going through and the road stubbing to the south at the Agriculture Protection Area, which is the Bangerter farmland. **David Petersen** said the potential of a thru-road was something that was discussed several years ago. He said in the subdivision master plan, the intention was to open 475 S. and have it curve to the south and exit onto 1525 W. He said the south neighborhood was worried about the increase traffic, but if the northern street was the only access point to 1525 W., then the northern neighborhood would take the majority of the traffic and it would be unevenly distributed. **David Petersen** said in the end, the City Council decided not to create the thru street and leave it as a cul-de-sac. He said one of the Council's considerations in making the decision was that the master plan showed a stub street that would eventually go through to the south, which would create traffic flow. Since that time, the property where the street is to be stubbed has become an Agricultural Protection Area (APA), so they no longer have the option to create that thru street. **David Petersen** said as the circumstances have changed, staff, including the fire department, public works department, and City Engineer, is recommending that the street go through.

**John Wheatley**, 526 N. 400 W., North Salt Lake, said he was involved in creating the master plan for the subdivision. He was disappointed when the road did not go through several years ago. He said due to the cul-de-sac, and zoning issues, this phase has been the most difficult and least profitable. He said they believe their proposal is a good use for this property because it is very similar to the density found else in the subdivision. He said they have talked with the HOA about adding additional amenities for the added population. He said they have discussed adding a splash pad near the pool, and connecting the trail to the Farmington Bay on 475 South. He said they will continue to work with the HOA on determining the amenities.

**Russ Workman** asked how firm the applicant is on the street and lot layout of this phase. He proposed another workaround option for the applicant. **John Wheatley** said he was concerned they

would lose several lots on a different layout. He said they considered several options of laying this phase out, and what is being considered provided the most similar lots to what already exists, while best preserving the density.

**Russ Workman** expressed concern about opening the existing cul-de-sac. **John Wheatley** said that the reason to continue 475 South is that there are already utilities located there, including sewer and water. He said the City would like a road on top of those utilities; otherwise, those utilities will not be located in a right-of-way. **David Petersen** said that the sewer district intends for the road to go over the utilities there. He said the land is not buildable because all the trunk lines go through the property at the end of the existing cul-de-sac. **John Wheatley** said those lines go through the property at the end of the cul-de-sac because it was assumed at the time that 475 S. would eventually be a connecting street until the City Council did not approve it. **Russ Workman** said that he is concern that homeowners in cul-de-sacs generally anticipate a certain value and lifestyle of a cul-de-sac, and punching a thru street in the middle of it changes the neighborhood. He said he understands there is vacant ground, so a homeowner might anticipate development, but a homeowner in a cul-de-sac anticipates that they will remain in a cul-de-sac. He feels there is a lot of value in preserving the cul-de-sac.

**John Wheatley** said there has been some controversy about whether or not the citizens were ever told that it would remain a permanent cul-de-sac. He said some people believe it was promised that the cul-de-sac would be permanent, perhaps because of the City Council's decision. He said it was his understanding that the cul-de-sac was temporary in nature to serve as a turnaround.

**Russ Workman** said that the homeowners have a lot of concerns with increased traffic if the street goes through. He feels adding an elbow to the street may decrease people's tendency to use this street as a main road. **John Wheatley** said the entire subdivision is circuitous, with no long straight roads. He said they have tried to spread traffic evenly through various access points. He said if the thru street is not created on 475 S, it will remain a "no-man's land" because it will never be able to be utilized with the utility easement on it. **Russ Workman** asked for clarification, as he thought the applicant discussed connecting the trail system through it. **John Wheatley** said the trail would be very small compared to the easement. **Alex Leeman** said the easement is approximately 50 to 60' wide. **John Wheatley** said that if Symphony does not make use of that land, they lose several lots whose side could line the road above the easement. He said additionally, the cul-de-sac violates the City block length code, but the City knew that when they denied access through 475 South. He said what is being proposed already meets the City code.

**Alex Leeman** said he wanted to open the public hearing, and that all that is being proposed hinges on the rezone. He reminded the public that the Planning Commission is not the final decision making entity, but that the Commission is a recommending body to the City Council. The City Council makes the final decision. He reminded the public that the rezone from A to AE is in line with the General Plan. He said the preliminary PUD amendment also needs a vote.

**Alex Leeman opened the public hearing at 8:09 p.m.**

**Mark Tingey**, 1339 W. 475 S., said his house, and 1.3 acres, abuts the 4 additional properties the applicant is proposing. He said he and his wife submitted a letter to the Planning Commission; each commissioner has a copy of the letter. He reviewed the bullet points from the letter, which included concerns regarding the proposed lot size and increase in traffic. He feels it is supposed to remain a cul-de-sac, as that is what the City Council said and that's what's been developed. He said the main reason he does not want the thru street is the increase in traffic. He said he and his wife do not mind something developed on that property, but they are interested in lot sizes more comparable to the

surrounding area. He also said that in Section 11-10-040 of the Ordinance, it states that if something changes from A to AE, the smaller lot size is not possible for areas smaller than 5 acres or larger. He asked for further clarification.

**Alex Leeman** thanked Mark for his input, and then asked staff if they could discuss the requirements in the Ordinance. **David Petersen** said that the Ordinance refers to conventional subdivision requirements, so with PUDs, these lot sizes are permissible.

**Chase Bybee**, 1418 W 475 S., expressed frustration because several years ago when this issue was brought up, the City Council visited the lot and made the decision to deny the application. He said as he understood it, the present matter at hand was the zone change and preliminary plan approval. He expressed frustration that he did not receive a specific notice about the consideration of a thru street and feels the seats would be filled with citizens if they knew a thru street was being discussed. **Alex Leeman** said that the thru street was part of the preliminary PUD master plan amendment. **Chase Bybee** said that he feels it would have important for the neighborhood to know and with more advanced notice. He expressed frustration that Symphony Homes has not shown any interest in the citizens at 475 South as they continue their development and maximizing their number of lots. He said that he hopes the Planning Commission is more concerned with creating good neighborhoods than assisting the applicant with maximizing profit. He feels creating a thru street on 475 South would not support a good neighborhood. **Chase Bybee** also explained that he gave up 1.7 acres because the owner across the street refused to participate in the “special improvement district.” He said he gave up part of his property to create the cul-de-sac, and was willing to do so in order to live at the end of a cul-de-sac. He feels if the road is no longer a cul-de-sac, he would put his home up for sale. He said there is no new information being presented, and disputed that the master plan ever indicated a road going through on 475 S.

**Alex Leeman** asked staff why the plan on the screen was not included in the notice mailer that was sent out to the property owners about the meeting. **David Petersen** said that the notice includes a link to the City website where the entire staff report is located. It is the same staff report that the Planning Commission has been given. **Chase Bybee** again disputed the existence of proof that the plan for the road to go through existing the last time this issue was brought to the City. He expressed concern that he had been lied to or is now being lied to by the City staff.

**Alex Leeman** interjected that he would try to clear things up regarding the matter. He said the City, referring to staff, the public works department, the fire department, and other relevant agencies, always planned for the road to be stubbed through. At that time, the City Council decided to go with a different route for their own reasons. **Chase Bybee** said that he was referring to before that time, all the way back to 13 years ago, not 7-8 years ago to City Council’s decision. **Alex Leeman** said that he could not speak to that time, but that the City Council is the final decision maker. He said that one City Council cannot define or bind the decision of future City Council members, and that existing City Councils have the right to change their minds at any time. **Chase Bybee** asked if that meant an applicant can buy time and wait for new City Council decisions. **Alex Leeman** said yes, that can happen, as well as any property owner can do the same.

**David Petersen** said that another factor is that staff has changed over time, and the new staff has reviewed the subdivision plans and believes that for access reasons, it makes sense at this time for the road to go through. He said the Development Review Committee (DRC) has also had turnover in recent years, including the Sewer District and the Fire Chief. He said their concern has also led to a push for a thru street. He said the new staff and Committee are always looking at the proposal from a current needs viewpoint. **Chase Bybee** said that the proposal does not show any lots with the homes facing 475



South, so he believes that the developer isn't directly impacted by the road, and therefore has no reason to care about the matter. He expressed concern about the lot west of his home, as he did not have the funds to purchase the property when it was first for sell, but that he wishes he would have at this point. He asked for the Commissioners to look out for the members of the community.

**Scott Thurgood**, 1364 West 475 South, expressed concern regarding the cul-de-sac. He said he expected his street to stay a cul-de-sac because of the City Council's decision 8 years ago. He said that he feels Symphony Homes never implied that the plan was for the road to go through. He wonders why the stub street that backs to the Bangerter Farm to the south was never cul-de-sac'd, but just stubbed. He feels the inconsistency led him to believe his cul-de-sac was permanent. He said that he hopes the City takes the citizens well-being into account before the financial gains of Symphony Homes. He said as an electrician, he makes his living in the construction field. He said he understands that if Symphony Homes puts some large lots in the subdivision instead of the proposed 26 small lots, they'll make about the same amount of money. He believes that larger lots are more consistent with the surrounding area. He is concerned that the City is calling this a PUD, but that it is not attached to a PUD subdivision. He said this phase will be increasing traffic on the existing subdivision without any benefit to the current residents. He also expressed concern about water drainage. He said to his knowledge, the increased drainage has not yet been addressed. He reminded the Commission that when Symphony Homes began Phase III, the existing homes flooded. He said that Symphony Homes never resolved those issues, and that when Phase V begins, the surrounding homes will also flood. He asked if Symphony Homes plans to put a storm and sewer drain down 475 South. He asked the Planning Commission not to ruin their quiet cul-de-sac. He said that is what they have bought into and that is where they want to be. He feels that Symphony homes should give up the 2 additional lots as a sacrifice to not the put in the cul-de-sac, and build a park there in exchange.

**Jim Daly**, 1296 West 475 South, said that the residents of 475 South don't mind not being able to access the chapel and other points on 1525 West from their street; the residents do not mind going around to access it. He said that when Phase II was being built, it was flooded, and a retaining wall and sump pump had to be put in. He said he feels the fire department has been able to access the Ranches subdivision just fine, so he would like the Commission to circle back to the old schematic plan where the cul-de-sac did not go through.

**Stuart Wilcock**, 1311 West 475 South, said that he understands that Farmington needs to be developed, but that he is concerned with the proposed lot size. He said that as prices go up, the developers have started decreasing the lots into smaller pieces because people cannot afford larger lots. His concern is that when west Farmington was first developed, it was by people who wanted large pieces of property or animals. He would like to see the large lot sizes continue.

**Alex Leeman** closed the public hearing at 8:37 p.m.

**Alex Leeman** pointed out that everything hinges on the rezone. He said if the rezone does not happen, then the PUD does not happen either. **Kent Hinckley** pointed out that all the property has already been rezoned to AE, except for the two new lots, which sit on an island among the AE zone. **Russ Workman** said it's important to remember that lot sizes are determined by the zone, so the Commission cannot recommend approval to the City Council, and then state larger lots are wanted. He said if the lots comply with the zone, then the applicant can have the lot size. **David Petersen** said told the Commission to remember that there is a PUD overlay, which means it is like there is a zone overlay with a different set of standards on top of the zone. He said the Commission could choose to rezone the property, and then consider a different recommendation for the PUD if the Commission feels the lots are too small. **Russ Workman** said that he is comfortable with the rezone, but not the PUD.

**Russ Workman** said that he has concern with how this item was noticed. He said he realizes that not everything can be noticed, but he feels if there is a “hot topic” on the agenda then a notice should make residents aware, especially on something like turning a cul-de-sac into a thru street. **Alex Leeman** said there are limits on how the City can notice things, including not being able to call things out. He said what is noticed is the item before the City, which is the rezone, the preliminary PUD master plan, and the schematic plan. **Russ Workman** said he does not know of a law that stops a City from telling its residents something. He feels the City should have the freedom to tell what it wants, especially on something as controversial as a thru street. **Alex Leeman** said he can think of legal reasons why not to do that. He said the property owner has their development rights, and if the City sends a notice pointing out what may be a controversial topic, the property owner would have reason to be upset. He said the notices simple state what is being discussed, regardless of the “side” residents may take.

**David Petersen** suggested that a traffic study be completed for this layout or any other layout. He said it might be a way to not put in a thru street, and to satisfy the parties without it. He said tabling the item might be in order to work with the applicant. He feels a joint work session with the applicant and the Planning Commission (or a few commissioners) to see if there’s some ideas to work around a thru street. He said he feels there could be room for a compromise that would be good for the property owner, the development, and the neighborhood. **Kent Hinckley** suggested denying the application, then the applicant works with the suggestions from the Planning Commission. He said when the applicant returns before the Commission, another public hearing will be held. **David Petersen** said the Commission can direct staff to hold another public hearing if the item is tabled. **Alex Leeman** said if a vote takes place, either a recommendation for approval or denial, the item moves forward to City Council. **Kent Hinckley** said if the item is tabled, and another public hearing can still be held, then he is in favor of tabling the item.

**Alex Leeman** said he likes the suggestion given by staff, but would like each commissioner to share their thoughts about what is being provided as a way to give guidance to the applicant.

**Alex Leeman** said that he is not concerned about the lot sizes. He feels the lot sizes are comparable to areas nearby. He said the cul-de-sac issue is very concerning to him. He said in reviewing the standards of a PUD, one standard is how it impacts adjacent properties. He said he is not sure how to get around that issue, as he feels making the cul-de-sac a thru street will have a negative impact on the residents, especially since one of the property owners gave up land for the bulb of the cul-de-sac. He said he also recognizes that one City Council cannot bind a future City Council. He said one City Council did not want this cul-de-sac to be a thru street, but another City Council could say they do want a thru street. He said he feels that this has been set as a cul-de-sac, so he feels compelled to leave it as a cul-de-sac. He said it would be up to the City Council to make the decision going forward, but he sees that change as causing a lot of negative impacts to the areas outside of the PUD.

**Roger Child** said that one of the guidelines in reviewing developments is to look at the impact value. He said there would be significant value impact if a cul-de-sac turned into a thru street. He said it would increase traffic, which would also have a value impact. He said he understands that you cannot deny the rights of a property owner to develop their property, so it is important to design streets to alleviate and help slow traffic, but a thru street would encourage higher speeds. In regards to the lot sizes, he said he feels Symphony Homes builds quality homes and their subdivisions are valuable, but he feels making this change would be like turning their back on the residents at 475 S. He said he does not feel the City should require Symphony Homes to build ½ acre to 1 acre lots, but he feels phasing homes in may be less impactful to the existing neighbors. **Roger Child** also said that the Bangerter family went

through a lot of effort to put their property into the Agricultural Protective Area. He said the applicant mentioned there are a lot of costs to stub streets into the Bangerter property, and although it's not best City planning, he feels it may be respectful to the Bangerter family's APA to not stub streets into it. He suggested that since the utilities are going through the bulb of the cul-de-sac, a compromise could be to continue the trail system as previously discussed, and to include some additional amenities over the easement, although he recognizes the City cannot require amenities. **Roger Child** said that he has concern that Mr. Bybee gave up property for the cul-de-sac; he said to him that shows long-term intent. He feels in other circumstances, the City may require a gravel turn around, but when curb, gutter, and sidewalk are put in, he feels the intent was to keep the cul-de-sac, which he feels should be honored.

**Russ Workman** said he understands that decisions the Planning Commission, City Council, or staff make are binding, but he feels that doesn't mean it's not relevant. He said the Ordinance says to consider the impact on adjacent property owners, so he feels that is a relevant matter in this decision. He feels that if curb, gutter, and sidewalk were installed, the intent of the cul-de-sac was for it to be permanent. He feels the impact of a thru street would be significant on the neighbors. He said he still has concern that the notice that went to neighbors was regarding a PUD, and that the notice said nothing about a cul-de-sac potentially being changed to a thru street. He said he feels that is a "hot topic," and that neighbors want to hear about things like that. He said he has issue that that information was only found if residents went onto their computers and found the the staff report on the weblink provided in the notice. **Russ Workman** also stated that he feels the proposed lots are too small.

**Kent Hinckley** said that he believes there would be ramifications if staff picks out what they might view as important topics, as they might not call out something that someone else might think is important. He said that is a different conversation, and that he concurs with the previous concerns shared regarding the potential change of the cul-de-sac into a thru street. He said lot sizes should also be considered, and that phasing in may help.

**Connie Deianni** said that she agrees with the previous comments and has nothing further to add.

**Rulon Homer** said he also has sensitivity about the cul-de-sac issue. He feels like there is already major traffic issues in west Farmington, and making this a thru street would send a lot of cars onto that street. He said that he is in favor of larger lots. He said he would be interested in a compromise that would include the cul-de-sac remaining, larger lots, and a look into varying traffic designs.

**Alex Leeman** said it seems the Planning Commission would like the cul-de-sac to remain, as well as possibly see a mix of different lot sizes. He said he likes staff's suggestion to table the item, but the applicant would prefer a vote, then the Commission could make one. **John Wheatley** said that he does not have a preference regarding the connection of 475 S., but that he was supporting staff's request for it. He said right now 475 S. drains and dumps onto the proposed property because the storm water has no place to go. He said part of the project would include taking the storm water down 1525 W, across Glovers Lane and into a ditch. He said to say that Symphony Homes is doing nothing regarding the storm drainage is simply not true, as what is being done is very extensive. He said when 475 S. was built, the lots were supposed to retain water on their own lots; however, the new system will provide an exit for the storm drainage.

**Motion for the Rezoning:**

**Kent Hinckley** made a motion that the Planning Commission table this item and that staff notice it for an additional public hearing when this item comes back to the Planning Commission. **Connie Deianni** seconded the motion, which was unanimously approved.

## **ZONING MAP AMENDMENT**

**Item #6. Scott Adamson (Public Hearing) – Applicant is requesting a recommendation for rezoning approval of 2.17 acres of property located at 1234 W. Glover Lane from an AA (Agricultural Very Low Density) to an A (Agriculture) zone. (Z-5-18)**

**Eric Anderson** said this item is a hold over from the May 17<sup>th</sup> Planning Commission meeting. He said the property is located at Shirley Rae Dr. and Glovers Lane. He said this property is 2.17 acres and is zoned AA. The applicant would like to do a lot split; however, minimum lot size in a conventional subdivision in the AA zone is 10 acres. He said the applicant originally requested to rezone the property to AE, but the Planning Commission recommended denial and asked the applicant to possibly reconsider a rezone request to an A zone. The applicant has reapplied for an A zone designation, which is what is before the Commission. He said this item is simply a lot split, but that it is located in the Development Restriction (DR) area.

**Kent Hinckley** asked for the zone designation of the surrounding lots. **Eric Anderson** said those lots are also AA. He said the lots were subdivided in the County, and then annexed into the City and were grandfathered in as their current lot size. He said to also remember that the DR line follows the 4218 line (or what the City thought was the correct 4218 line), so it is not straight because it follows the elevation line.

**Rulon Homer** asked if the applicant will be allowed to put another house on the additional lot, if the lot split is approved. **Eric Anderson** said yes, if the lot split is approved, that lot could qualify for an additional home. He further explained that the applicant would only be allowed to have an additional lot/home through a Transfer of Development Rights (TDR) transaction. He said splitting the lot does not guarantee an additional lot; the applicant would have additional steps to go through before it is finalized.

**Scott Adamson**, 940 E. Windsor Lane, Bountiful, said that he feels staff explained it well, and that he is available for questions.

**Alex Leeman** asked the applicant if he was interested in splitting the lot to keep one lot and sell the other. **Scott Adamson** said yes, he would be keeping the lot on the south side and would be building a home there. He said they would most likely sell the second lot, and someone else would build a home there. He said there would be two homes maximum.

**Alex Leeman** asked how this property will be effected by the West Davis Corridor. **Scott Adamson** said the West Davis Corridor runs to the north of the property, and crosses over Shirley Rae Dr. 2 lots above his property.

**Rulon Homer** asked if there is wetlands located on the west side of the property. **Scott Adamson** said there is some drainage issues on the property, so fill will most likely need to be brought in. He said they are working with an engineer, and that it will probably be one of the requirements for approval prior to obtaining a building permit. He also asked if there are specific requirements for wetlands. **Eric Anderson** said a property owner has to get a wetlands delineation from the U.S. Army Corps of Engineers (USACE) **Roger Child** said with the USACE, it is almost like a “guilty until proven

otherwise” regarding wetlands. He said a delineation has to be done to prove it is not wetlands. He said the vegetation on the property would suggest it is wetlands, so the USACE may declare it wetlands. **Eric Anderson** said that storm water will also be a big issue at subdivision because there is no way to retain it on the property due to the high water table. He said the property is limited to conveying it to the south, but that can be discussed at a later date.

**Alex Leeman opened the public hearing at 9:10 p.m.**

There were no comments at this time.

**Alex Leeman closed the public hearing at 9:10 p. m.**

**Alex Leeman** said the rezone is a discretionary decision, and that the Commission is familiar with the standards. He said last time this item came before the Commission, there were quite a few comments that the property to the north was the same, and the property to the east was denser, but that no one had any major concerns with this proposal. He said that the applicant’s property is currently located in the DR area. He said it has been discussed that the WDC could become the new DR line, and the applicant’s property would be on the wrong side of that DR line. He said it’s important to remember that although precedent is often overblown, continuity in a city is continually reviewed. He said he feels this rezone makes sense because the surrounding lots are the same density. **Alex Leeman** said other things like storm drain, sewer, etc., would still have to be figured out, but those are additional steps for the applicant.

**Eric Anderson** said the flip side of the DR policy question is that although this property would be located on the other side of where the new DR could be, this property has a lot of frontage to Glovers Lane, which would have to be improved. He said he feels that is a big incentive to allow this property to move forward, especially because Glovers Lane will become a very important road in the near future when the high school opens. **Alex Leeman** said it’s important to remember that with rezones, the Ordinance provides factors to consider, like necessity, public interest, consistency with the General Plan, etc., but that those considerations don’t have to be met for approval, and those considerations could be met and it could still be denied.

**Rulon Homer** asked if the main sewer line comes all the way down Glovers Lane and takes off to Shirley Rae Dr. to access those houses there. **Eric Anderson** said sewer has been extended, but only a certain length. He said Central Davis Sewer District has plans to run the sewer down Shirley Rae Dr. and out, but that it has not yet been built. He said sewer will be a big issue for the development of this property. **David Petersen** also said that the Health Department is not allowing any more septic tanks. He said even if this property is zone A, and the applicant can split it into 2 lots, there may be too many constraints to build.

**Russ Workman** said the proposed 1 acre lots is what is being proposed. **Roger Child** also pointed out that the Agriculture zone has been the holding zone within the City. He feels rezoning the applicant to A would not be a significant zone change. He said previously, his biggest concern was with the applicant’s initial request for the AE zone and that lots smaller than 1 acre could be requested.

**Motion:**

**Connie Deianni** made a motion that the Planning Commission recommend that the City Council approve the zoning map amendment of property identified by parcel identification number 080820006 from AA (Agriculture – Very Low Density) to A (Agriculture), subject to all applicable Farmington City

ordinances and development standards and the following condition: as part of a subdivision application, the applicant shall improve, or enter into an extension agreement for both Glover Lane and Shirley Rae Drive, including curb, gutter, sidewalk, park strip, and asphalt extension (on Glover Lane). **Russ Workman** seconded the motion, which was unanimously approved.

Findings for Approval:

1. While the requested rezone is inconsistent with the General Plan, the applicant is only requesting one additional unit of density beyond what the ordinance currently allows.
2. With the exception of the storm water, all of the issues raised by the DRC and Planning Commission during their review of the Owl's Landing Subdivision can be mitigated; and the potential storm water issues are not likely to be significant because of the two-lot subdivision.
3. The improvement of Glover Lane that will be part of any future subdivision applications will benefit the City because with the opening of the new high school, staff is anticipating that there will be an increase of traffic on 1525 West, 1100 West, 650 West, and Glover Lane.
4. The requested rezone would allow for lot sizes that match other adjacent neighborhoods north and east of the area that have previously been subdivided.

**ZONE TEXT AMENDMENT**

**Item #7 Symphony Homes (Public Hearing) – Applicant is requesting a recommendation for zone text amendment to Section 11-12-090 (Chapter 12) of the Zoning Ordinance related to setback standards for side-loaded garages in conservation subdivisions. (ZT-3-18)**

**David Petersen** said in the late 1990's, conservation subdivisions were created as a way more developers to give open space in exchange for more lots. He said the lots got a little smaller, but that more open space was granted. The governing bodies at the time were concerned that the home styles at the time were all garage out in the front of the home. He said the homes have gotten wider since then to better accommodate garages. During the late 1990s, however, the City said they would grant the developer narrower lots for a conservation subdivision, but instead of a driveway and garage filling the front of the home, if the garage was not predominate, the City would grant a 20' setback in lieu of the required 30'. He said since that time, homes styles have changed and that "car courts" are becoming more common, which is a side-loaded garage with windows. He said the City needs to decide if they stick with the existing policy, or allow a shorter front setback for a side-loaded garage.

**David Petersen** reviewed the proposed motions, as found in the staff report. He also added that if the Commission does not want to review the policy decision at this time, he feels there are other options within the Ordinance for Symphony Homes to move forward on the side-loaded garages without a zone text amendment.

**Rulon Homer** asked why there were concerns with the garages out front. **David Petersen** said there are many subdivisions where the garages were out front, and then had the driveway attached. He said to look down the street, all you see is a wall of garages. He said the visitor to the home would then walk down 20' of garage wall to find the front door in a hidden area. He said it is not inviting or aesthetically pleasing. He said the theory was to hide the garage by making it flush or recessed to the front of the home, as well as expose the porch and make the home more to human scale. **David Petersen** said that the City made an incentive versus decentive deal in that if an applicant hides the garage, the applicant would be granted an additional 10' of property use by having a 20' front setback. If an applicant wants the garage in the front, then the requirement would be a 30' setback. He said that he feels home styles are much better now, and that perhaps its time to allow side entries to be that

exception. **David Petersen** said if the Commission does not think its time to make that decision, then the applicant still has the possibly to apply for a special exception within the Ordinance to allow for the side-loaded garages.

**Russ Workman** said that he is comfortable with the concept, and that he feels no need to not solve it now. **Kent Hinckley** asked what basis the Commission would have to approve or disapprove certain lots, or if it is an approval all or nothing kind of deal. **Alex Leeman** said it would be waiting for buyers to look at the floor plan and decide; however, the goal of the policy is to make sure the frontage is attractive. **Kent Hinckley** asked for clarification that if side-loaded garages were approved, then the front setback would only be 20'. **David Petersen** said the front setback would potentially be 20-30'. **Kent Hinckley** said he wished that he would have built a side-loaded garage in lieu of his front facing garage as he feels they are more inviting.

**Rulon Homer** asked why the ordinance would apply to some homes and not others. **David Petersen** said it depends on the width of the home.

**Alex Leeman** opened the public hearing at 9:37 p.m.

No comments were received.

**Alex Leeman** closed the public hearing at 9:37 p.m.

**Roger Child** said he feels bring the homes closer to the street makes for a friendly, safer, more pedestrian friendly neighborhood. He said he feels smaller front yards is generally better. He also feels the windows on the front of the side-loaded garages also makes it more pedestrian friendly. He said that he is in favor of Symphony, or any other builder, making more approachable homes, and that they should be rewarded with a lower frontage requirement.

**David Petersen** reviewed the wording for the proposed change, which includes adding "front-loaded. **Roger Child** said that he feels there is room in our code to allow for this change, and is in favor of approving it.

#### **Motion:**

**Kent** made a motion that the Planning Commission recommend approval of the proposed amendment to the Zoning Ordinance. **Russ Workman** seconded the motion, which was unanimously approved.

#### **Finding:**

Aesthetically, garages can overwhelm the appearance of a residential street streetscape. To help prevent this from happening in conservation subdivisions, the ordinances provides an incentive, or greater use of the lot by the future property owner, if the attached garage remains flush, or recessed, from the front of the home. The "car court" concept proposed by the applicant accomplishes the same result, as attached garages are side-loaded and window openings face the street for garages projecting past the front of the home and not garage doors.

#### **GENERAL PLAN AMENDMENT**

**Item #8 Farmington City (Public Hearing) – Applicant is requesting approval to amend the General Plan by adding the recently completed Farmington Linkage Study regarding future I-15/US 89 pedestrian crossing options in the vicinity of the Park Lane Interchange as an appendix to the Farmington City Master Transportation Plan, an element of the City’s General Plan. (MP-3-18)**

**Eric Anderson** said in 2017, the City was awarded a grant from the Wasatch Regional Council to do a linkage study for areas around Park Lane to find ways to connect the east and west sides of the City for pedestrians and bikes. He said a firm was hired to join with Kaysville City to adopt an active transportation plan, which was then adopted as part of the General Plan. Since that time, another firm has been hired to provide several alternatives for pedestrian crossings. A few alternatives were suggested; however, staff suggested that a bridge on the south side of Park Lane be considered as an alternative. As was mentioned in the Study Session, part of the EIS and Record of Decision for the WDC was planning and funding for the bridge. **Eric Anderson** said the City now has 5 bridge alternatives. He said the intent of all of this was to give UDOT a document that says the City is ready to move forward on one of the alternatives, so that when UDOT is ready to fund it, all the documentation is prepared. He said that by putting this as an element in the General Plan, it gives the City more “teeth” for it to be completed.

**Kent Hinckley** asked if the proposal is for alternative option #5. **Eric Anderson** said the intent of the document is to give alternatives, and then let UDOT run with it. He said each alternative provides pros and cons for each, which will allow UDOT to make the final decision. **David Petersen** said by having this as part of the General Plan, it will allow for more standing when applying for federal dollars to fund it.

**Alex Leeman** opened the public hearing at 9:50 p.m.

**Amy Shumway**, 1178 Front Nine Way, said that she is the citizen advocate for this bridge. She said her neighbors often joke that they live close enough to Station Park to throw a rock there, but that they cannot safely walk there. She said she was very disappointed with the alternatives the engineering firm first presented. She expressed a lot of gratitude to the staff for working hard to provide another alternative, which she believes is the best solution. She said that she has personally contact Congressman Stewart Adams to let him know we need an additional \$11 million to fund this, and his reply was that he is working on it. **Alex Leeman** asked her opinion on a tunnel. **Amy Shumway** said that she has concerns regarding the lighting and security, but that she still sees it being used often by many people. She hopes the tunnel would be wide enough to allow for some natural light to come in during the day, and to make it more inviting. She also said right now anything will be better than the current option of riding bikes over Shepard Lane with small children , as it is very dangerous. **David Petersen** thanked Amy Shumway for her efforts as she has led a large coalition and has worked personally to raise money for this bridge. She is a great example of what one citizen can do.

**Alex Leeman** closed the public hearing at 9:58 p.m.

There was no additional discussion at this time.

**Motion:**

**Connie Deianni** made a motion that the Planning Commission recommend that the City Council amend the General Plan adopting the enclosed Farmington Linkage Study as an appendix to the Farmington City Master Transportation Plan which is an element of the General Plan, subject to all



applicable Farmington City ordinances. **Kent Hinckley** seconded the motion, which was unanimously approved.

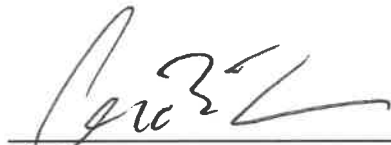
Findings for Approval:

1. The proposed Bridge Feasibility Study will help guide the City in the future towards developing infrastructure for a safe means of moving pedestrians east to west in the Park Lane area.
2. The proposed Bridge Feasibility Study will better situate the city in locating and acquiring funding sources for bike and pedestrian paths, and related infrastructure.
3. The proposed Bridge Feasibility Study will guide and inform the City in future decisions regarding all modes of transportation.
4. By codifying the Bridge Feasibility Study and adopting it as part of the General Plan, the City is setting a standard, being proactive, and making a commitment to active transportation, which is growing in popularity and being demanded at ever increasing levels.

**ADJOURNMENT**

***Motion:***

At 10:10 p.m., **Connie Deianni** made a motion to adjourn the meeting, which was unanimously approved.



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**Alex Leeman**  
**Chair, Farmington City Planning Commission**